

## TOWNSHIP OF UPPER DEERFIELD

### RESOLUTION 23-175

#### APPOINTING TRAFFIC ENGINEER – HORNER & CANTER ASSOCIATES

**WHEREAS**, there exists the need for the “Professional Services” of a TOWNSHIP ENGINEER, to be retained by the Township for the performance of traffic engineering services and related duties associated therewith as directed by the authorized representatives of the Township of Upper Deerfield, as more specifically set forth in the Professional Services Agreement; and

**WHEREAS**, there is a need to appoint Horner & Cantor Associates, who is an engineer firm, of 105 Alston Road, Medford, New Jersey, as traffic engineer for review of planning board site plans for potential development; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Upper Deerfield, County of Cumberland and State of New Jersey, as follows:

1. That the allegations of the preamble hereto are incorporated herein as if fully set forth.
2. That Horner & Cantor Associates of Medford, New Jersey, an engineering firm authorized to perform traffic engineering services in the State of New Jersey, be appointed Traffic Engineer for Upper Deerfield Township for the year 2023, to perform professional services ordinarily provided by a traffic engineer and shall receive compensation from the applicant’s escrow account at the rates contained in accordance with terms of the contract on file in the Clerk’s office.
1. That the aforesaid contract is awarded pursuant to competitive bidding as a “Professional Service” under the provisions of the Local Public Contracts Law because N.J.S.A.40A:11-5 states that no local unit shall be required to advertise for bids for services rendered or performed by a person authorized by law to practice a recognized profession and whose practice is regulated by law, or to advertise for bids for services which are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids, all of which classification the aforesaid contract falls within.
3. The professional fees contained within the aforementioned contract are included within the applicants escrow account and the continuation of any potential additional fees for the year will be included within the escrow account as it is replenished to be certified by the Chief Financial Officer.
4. The Business Entity Disclosure Certification shall be placed on file with this Resolution.
5. That a copy of the specific items pertaining to the award of this contract shall be published in a Notice of Award in the Daily Journal as required by law within ten (10) days of the Resolution authorizing same; and

**BE IT FURTHER RESOLVED** that the Mayor and Clerk be and are hereby authorized to enter into a contract with Horner & Cantor Associates, in a form satisfactory to the Township Solicitor of the Township of Upper Deerfield.

**BE IT FURTHER RESOLVED** by the Township Committee of the Township of Upper Deerfield that this professional service agreement is awarded pursuant to and in compliance with the provisions of Pay to Play legislation, N.J.S.A. 19:44A-20.4, et seq.

Moved By: Joseph Spoltore

Seconded By: Thomas Speranza

VOTING

James P. Crilley  
John L. Daddario  
Scott Smith  
Thomas Speranza  
Joseph Spoltore

<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
X			
X			
X			
X			
X			

CERTIFICATION

I hereby certify that the foregoing is a true copy of the Resolution adopted by the Township Committee of the Township of Upper Deerfield, in the County of Cumberland, at a meeting thereof held November 2, 2023.

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Roy J. Spoltore, Township Clerk